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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF JOINT SUBMISSION IN
RESPONSE TO DKTS. 437 AND 438 RE:
SEALING PORTIONS OF MARCH 1, 2022
ORDER**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of the Parties’
7 Joint Submission in Response to Dkts. 437 and 438 re: Sealing Portions of March 1, 2022 Order
8 Following February 28, 2022 Discovery Hearing (“Order”). In making this request, Google has
9 carefully considered the relevant legal standard and policy considerations outlined in Civil Local
10 Rule 79-5. Google makes this request with the good faith belief that the information sought to be
11 sealed consists of Google’s confidential information and that public disclosure could cause
12 competitive harm.

13 3. Google respectfully requests that the Court seal the redacted portions of Exhibit A of
14 the Order.

15 4. The information requested to be sealed contains non-public, sensitive confidential
16 business information related to Google’s internal technological systems that could affect Google’s
17 competitive standing and may expose Google to increased security risks if publicly disclosed,
18 including details related to internal systems and operations that Google does not share publicly,
19 including details related to internal projects, identifiers, cookies, data field, and logs and their
20 proprietary functionalities, internal investigations of features, and personal and private information
21 related to a Google employee, which Google maintains as confidential in the ordinary course of its
22 business and is not generally known to the public or Google’s competitors.

23 5. Such confidential information reveals Google’s internal systems and operations and
24 falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-3.

25 6. Public disclosure of such confidential information could affect Google’s competitive
26 standing as competitors may alter their system designs and practices relating to competing products,
27 time strategic litigation, or otherwise unfairly compete with Google.

1 7. On March 8, 2022, the parties conferred on the proposed redactions to the Order.
2 Plaintiffs take no position on sealing the proposed redactions except for the proposed redactions on
3 pages 20 and 21, which Plaintiffs support.

4 8. For these reasons, Google respectfully requests that the Court order the identified
5 portions of Exhibit A of the Order to be sealed.

6 I declare under penalty of perjury of the laws of the United States that the foregoing is true
7 and correct. Executed in San Francisco, California on March 8, 2022.

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9 DATED: March 8, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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11 By /s/ Jonathan Tse
Jonathan Tse

12 *Attorney for Defendant*
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